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EXAMINER	
RAMPURIA, SATISH	

ART UNIT	PAPER NUMBER
2191	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/823,513	CHANG ET AL.	
	Examiner	Art Unit	
	SATISH RAMPURIA	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 September 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,8,9 and 20-51* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,8,9 and 20-51* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *05/12/2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to amendment

1. This action is in response to the supplemental amendment filed on 09/04/2008.

2. The objection to claims 28, 36, 39-40 is withdrawn in view of Applicant's amendment.

3. The rejections under 35 U.S.C. §112 second paragraph to claim 1, 35, 40 is withdrawn in view of Applicant's amendment.

4. Claims cancelled by the Applicants: 7, 10-19.

5. Claims amended by the Applicants: 1-5, 8, 20, 21, 22, 27-33, 35-36, 39-40.

6. New claims added by the Applicants: 41-51.

7. Claims 1-6, 8, 9, 20-51 are pending.

Continued Examination Under 37 CFR 1.114

8. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/04/2008 has been entered.

Response to Arguments

9. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

The amendment to claim 1 is missing some of the limitations as compare to the previous version of the claims filed on 8/8/2007. For examples, limitations "autorun software stored on the integrated circuit memory device to install or to run the arbitrary application software on the host computing device automatically upon activation of the integrated circuit memory device with the host computing device" appears to be amended without any marking (i.e., strikethrough, underlined) to the limitations, see 37 CFR 1.121 and MPEP § 714. Applicants are respectfully requested to correct any deficiencies to any claims with the prior version of claims.

Information Disclosure Statement

10. An initialed and dated copy of Applicant's IDS form 1449 filed on 05/12/2008 is attached to the instant Office action. Applicants have listed foreign patent documents; however, no related documents are submitted along with IDS. Accordingly, the foreign patent documents listed are not considered at this time.

Claim Objections

11. Claim 8 objected to because of the following informalities: Claim is amended to include an "a" before the word 'over' on line 3 of the claim; It appears to be a typo. Appropriate correction is required.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

13. Claims 1, 2, 4-6, 8-9, and 20-40, 42-44, 46-48, 50, 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Publication No. 2003/0046447 to Kouperchliak et al. (hereinafter, Kouperchliak) in view of US Publication No. 2002/0145632 to Shmueli et al. (hereinafter, Shmueli) and further in view of US Patent No. 6,829,672 to Deng et al. (hereinafter, Deng).

Per claims 1 and 50:

Kouperchliak discloses:

a controller for controlling interaction between the integrated circuit flash drive memory device and the host computing device (paragraph [0006] "...functional devices connectable to a computer host via an interface,...");

a memory component storing arbitrary application software operable on the host computing device (paragraph [0006] "...the computer host having a computer operating system comprising a mass storage device...");

application launcher software stored on the integrated circuit memory device (paragraph [0007] "a mass storage device emulator for automatic installation in a host

computer") to run automatically on the host computing device upon activation of the integrated circuit memory device with the host computing device, the application launcher software running on the host computing device to install or to run the arbitrary application software on the host computing device (paragraph [0007] " the mass storage device emulator residing on the functional device and being operative in conjunction with an operating system having a mass storage device driver with an autoplay feature, the emulator activating the loading functionality of the mass storage device driver ").

Kouperchliak does not explicitly discloses *whereby the arbitrary software in the memory component cannot be viewed or accessed by the user and is only accessible to be run by the application launcher software upon authentication of the application launcher software.*

However, Shmueli discloses in an analogous computer system *whereby the arbitrary software in the memory component cannot be viewed or accessed by the user and is only accessible to be run by the application launcher software upon authentication of the application launcher software* (paragraph [0011] "...the software on the portable device may provide an authentication routine instructing the host computing device to receive authentication indicia from the user via an interface on the host...determine if the authentication indicia received from the user matches authentication indicia stored on the portable device...user must be authenticated...") [Here Shmueli does not explicitly disclose a protected memory component, however it

appears to be inherent to Shmueli's system since Shmueli requires an authentication in order for user to have access to the device e.g., to the protected memory.]

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of *whereby the arbitrary software in the memory component cannot be viewed or accessed by the user and is only accessible to be run by the application launcher software upon authentication of the application launcher software* as taught by Shmueli into the method of automatic software/driver installation of a stored within the device as taught by Kouperchliak. The modification would be obvious because of one of ordinary skill in the art would be motivated to securely store the software in a protected area to provide privacy and security issues associated with computing on multiple computing devices on commercial and personal levels as suggested by Shmueli (paragraph [0005]).

Neither Kouperchliak nor Shmueli explicitly disclose protected memory component. However, Deng discloses in an analogous computer system protected memory component (col. 6, lines 54-65).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of having a protected memory component as taught by Deng in the method of automatic software/driver installation of a stored within the device as taught by the combination system of Kouperchliak and Shmueli. The modification would be obvious because of one of

ordinary skill in the art would be motivated to have a protected memory component to provide a way to safely store the data as suggested by Deng (col. 6, lines 63-65).

Per claim 2:

The rejection of claim 1 is incorporated and further, Kouperchliak discloses:

The integrated circuit flash drive memory device of claim 1 in which the application launcher software is embedded in the controller (paragraph [0022] "...a computer using an operating system having an automatic installation procedure...").

Per claims 4:

The rejection of claim 1 is incorporated and further, Kouperchliak does not explicitly discloses the integrated circuit flash drive memory device of claim 1 in which the application launcher software further runs the arbitrary software on the host computing device upon installing the arbitrary software.

However, Shmueli discloses in an analogous computer system the application launcher software further runs the arbitrary software on the host computing device upon installing the arbitrary software (paragraph [0007] "a portable device containing software capable of automatically executing on the host computing device in association with a computing session and provide an interface frame for display on the host computing device...").

The feature of the application launcher software further runs the arbitrary software on the host computing device upon installing the arbitrary software would be obvious for the reasons set forth in the rejection of claim 1.

Per claim 5:

The rejection of claim 1 is incorporated and further, Kouperchliak discloses:

The integrated circuit flash drive memory device of claim 1 further comprising a user operable manual switch that allows a user to select from among plural operating states that include a first state in which the application launcher software is operable and a second state in which the application launcher software is not operable so that the integrated circuit flash drive memory device functions as a conventional integrated circuit flash drive memory device (paragraph [0037] "...Within the memory is preferably stored a series of device-related software items, each one appropriate to a different operating system or version... provided one or more configuration files allowing the peripheral device to be configured in different ways either selectable by the user or by the software").

Per claim 6:

The rejection of claim 5 is incorporated and further, Kouperchliak discloses:

The integrated circuit memory device of claim 5 in which the user operable manual switch allows a user to select from among more than two operating states (paragraph [0037] "...Within the memory is preferably stored a series of device-related software

items, each one appropriate to a different operating system or version... provided one or more configuration files allowing the peripheral device to be configured in different ways either selectable by the user or by the software").

Per claim 8:

The rejection of claim 1 is incorporated and further, Kouperchliak discloses:

The integrated circuit flash drive memory device of claim 1 further comprising a connection that is connectable to a host computing device over Universal Serial Bus connection port (paragraph [0006] "devices connectable to a computer host ...load primary function software which performs the primary function from the USB device onto the computer host").

Per claim 9:

The rejection of claim 1 is incorporated and further, Kouperchliak discloses:

The integrated circuit flash drive memory device of claim 1 in which the controller and the memory component operate together as a storage device to the host computing device (paragraph [0007] "...the mass storage device emulator residing on the functional device and being operative in conjunction with an operating system having a mass storage device driver with an autoplay feature...").

Claim 20 and 44 is the computer products claim corresponding to computer product claims 1 and 3 and rejected under the same rational set forth in connection with the rejection of claims 1 and 3 above.

Claims 21-26 is the computer product claim corresponding to computer product claims 2-8 and rejected under the same rational set forth in connection with the rejection of claims 2-8 above.

Claim 27 and 46 is the computer products claim corresponding to computer product claims 1 and 5 and rejected under the same rational set forth in connection with the rejection of claims 1 and 5 above.

Claim 28-32 is the computer product claim corresponding to computer product claims 2, 3, 6, 8 and rejected under the same rational set forth in connection with the rejection of claims 2, 3, 6, 8 above.

Per claim 33:

a controller for controlling interaction between the integrated circuit wireless device and the host computing device (paragraph [0006] "…functional devices connectable to a computer host via an interface,…");

a wireless component for enabling the host computing device wireless connectivity with the wireless component (paragraph [0006] "…the computer host having a computer operating system comprising a mass storage device…");

a memory component for storing wireless application software operable on the host computing device (paragraph [0006] "...the computer host having a computer operating system comprising a mass storage device...").

Kouperchliak does not explicitly disclose autorun software stored on the integrated circuit wireless device that autorun on the host computing device upon activation of the integrated circuit wireless device with the host computing device, and the autorun software upon running on the host computing device, install and or run the wireless application software on the host computing device; wherein the memory component includes a memory component where the wireless application software is stored so as not to be viewable or accessible by the user and is accessible only by the autorun software for installation or running of the wireless application software.

However, Shmueli discloses in an analogous computer system *autorun software stored on the integrated circuit wireless device that autorun on the host computing device upon activation of the integrated circuit wireless device with the host computing device* (paragraph [0007] "a portable device containing software capable of automatically executing on the host computing device in association with a computing session and provide an interface frame for display on the host computing device..."), *and the autorun software upon running on the host computing device (paragraph [0028]* "key 10 is preferably configured for autorun capability"), *install and or run the wireless application software on the host computing device* (paragraph [0028] "a start-up application stored on the key 10 to

start executing when the key 10 is plugged in to the USB port of the host 12" paragraph [0033] "FIG. 2C depicts a wireless communication device 10C, such as a transponder, capable of facilitating wireless communications with the host 12"); wherein the memory component includes a memory component where the wireless application software is stored so as not to be viewable and is accessible only by the autorun software during installation or running of the wireless application software (paragraph [0011] "...the software on the portable device may provide an authentication routine instructing the host computing device to receive authentication indicia from the user via an interface on the host...determine if the authentication indicia received from the user matches authentication indicia stored on the portable device...user must be authenticated...").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of autorun software stored on the integrated circuit wireless device to install and or to run the wireless application software on the host computing, device automatically upon activation of the integrated circuit wireless device with the host computing device; wherein the memory component includes a protected memory component where the wireless application software is stored so as not to be viewable and is accessible only by the autorun software during installation or running of the wireless application software, thereby providing copy protection of the wireless application software, and the device is wireless device as taught by Shmueli into the method of automatic software/driver installation of a stored within the device as taught by Kouperchliak. The modification would be

obvious because of one of ordinary skill in the art would be motivated to autorun software stored on the integrated circuit wireless device to install and or to run the wireless application software on the host computing, device automatically upon activation of the integrated circuit wireless device with the host computing device; wherein the memory component includes a protected memory component where the wireless application software is stored so as not to be viewable and is accessible only by the autorun software during installation or running of the wireless application software, thereby providing copy protection of the wireless application software to allow access and control of the mobile device as suggested by Shmueli ((paragraph [0005]).

Neither Kouperchliak nor Shmueli explicitly disclose protected memory component, providing copy protection of the wireless application software.

However, Deng discloses in an analogous computer system protected memory component, providing copy protection of the wireless application software (col. 6, lines 54-65 “”).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of having a protected memory component, providing copy protection of the wireless application software as taught by Deng in the method of automatic software/driver installation of a stored within the device as taught by the combination system of Kouperchliak and Shmueli. The modification would be obvious because of one of ordinary skill in the

art would be motivated to have a protected memory component to provide a way to safely store the data as suggested by Deng (col. 6, lines 63-65).

Per claim 34:

The rejection of claim 33 is incorporated and further, Kouperchliak discloses:

34. (New) The integrated circuit wireless device of claim 33 in which the connection between the integrated circuit wireless device with the host computing device is a Universal Serial Bus connection and the controller is a Universal Serial Bus controller (paragraph [0006] "...load primary function software which performs the primary function from the USB device onto the computer host").

Per claim 35, 42, 43, and 48

The rejection of claim 33 and 20 is incorporated and further, Kouperchliak does not specifically disclose the wireless component is a short range wireless specification component.

However, Shmueli discloses in an analogous computer system the wireless component is a short range wireless specification component (paragraph [0033] "FIG. 2C depicts a wireless communication device 10C, such as a transponder, capable of facilitating wireless communications with the host 12. Whereas a physical connection with a key 10 may implement the Windows plug-and-play interface, a wireless device

10C may incorporate an automatic detection or sensing technology, such as the discovery process used by Bluetooth, which is well documented and available to those skilled in the art").

The feature of the wireless component is a short range wireless specification component would be obvious for the reasons set forth in the rejection of claim 33.

Per claim 36:

The rejection of claim 33 is incorporated and further, Kouperchliak does not explicitly disclose the wireless component is a Wireless Local Area Network component and the wireless application software stored in the memory component for installing and or running on the host computer is Wireless Local Area Network application software.

However, Shmueli discloses in an analogous computer system autorun the wireless component is a Wireless Local Area Network component and the wireless application software stored in the memory component for installing and or running on the host computer is a Wireless Local Area Network application software (Shmueli paragraph [0033] "...smart card 10B may be a contact-based or a contactless (wireless) smart card 10B capable of interacting with the host 12...FIG. 2C depicts a wireless communication device 10C, such as a transponder, capable of facilitating wireless communications with the host 12...").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of autorun the wireless

component is a Wireless Local Area Network component and the wireless application software stored in the memory component for installing and or running on the host computer is a Wireless Local Area Network application software as taught by Shmueli into the method of automatic software/driver installation of a stored within the device as taught by Kouperchliak. The modification would be obvious because of one of ordinary skill in the art would be motivated to autorun the wireless component is a Wireless Local Area Network component and the wireless application software stored in the memory component for installing and or running on the host computer is a Wireless Local Area Network application Wireless Local Area Network to allow access and control of the mobile device as suggested by Shmueli (paragraph [0005]).

Per claim 37:

The rejection of claim 33 is incorporated and further, Kouperchliak discloses:

37. (New) The integrated circuit wireless device of claim 33 further includes an external memory component and the integrated circuit wireless device operable as an external memory storage device and an external wireless device to the host computer (paragraph [0006] "...load primary function software which performs the primary function from the USB device onto the computer host").

Per claim 38:

The rejection of claim 1 is incorporated and further, Kouperchliak does not explicitly disclose the arbitrary software is a wireless software.

However, Shmueli discloses in an analogous computer system the arbitrary software is a wireless software (paragraph [0033] "FIG. 2C depicts a wireless communication device 10C, such as a transponder, capable of facilitating wireless communications with the host 12").

The feature of the arbitrary software is a wireless software would be obvious for the reasons set forth in the rejection of claim 1.

Per claim 39:

The rejection of claim 20 is incorporated and further, Kouperchliak discloses:
39 (New) The integrated circuit memory device of claim 20 further comprising a USB hub for enabling interface with one or more functional components or devices (paragraph [0006] "...load primary function software which performs the primary function from the USB device onto the computer host").

Per claims 40, 47 and 51:

The rejection of claim 39 is incorporated and further, Kouperchliak does not explicitly disclose the USB hub includes one or more downstream ports for interfacing or connecting to one or more functional components or devices.

However, Shmueli discloses in an analogous computer system the USB hub includes one or more downstream ports for interfacing or connecting to one or more functional components or devices (paragraph [0033] "FIG. 2C depicts a wireless communication device 10C, such as a transponder, capable of facilitating wireless

communications with the host 12. Whereas a physical connection with a key 10 may implement the Windows plug-and-play interface, a wireless device 10C may incorporate an automatic detection or sensing technology, such as the discovery process used by Bluetooth, which is well documented and available to those skilled in the art").

The feature of the USB hub includes one or more downstream ports for interfacing or connecting to one or more functional components or devices would be obvious for the reasons set forth in the rejection of claim 33.

14. Claims 3, 41, 45 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Publication No. 2003/0046447 to Kouperchliak, Shmueli, Deng in view of US Patent No. 7,237,046 to Paley et al. (hereinafter, Paley).

Per claims 3, 41, 45 and 49:

The rejection of claim 1, 20, and 33 is incorporated and further, neither Kouperchliak nor Shmueli nor Deng disclose including a public memory component that can be viewed or accessed by the user.

However, Paley discloses in an analogous computer system including a public memory component that can be viewed or accessed by the user (col. 2, lines 21-29).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of having a public memory component that can be viewed or accessed by the user as taught by Paley

into the combination system as taught by of Kouperchliak, Shmueli and Deng. The modification would be obvious because of one of ordinary skill in the art would be motivated to a public memory component that can be viewed or accessed by the user to provide a user to the device regardless of user privilege as suggested by Paley (col. 1, lines 49-60).

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Satish S. Rampuria** whose telephone number is **(571) 272-3732**. The examiner can normally be reached on **8:30 am to 5:00 pm** Monday to Friday except every other Friday and federal holidays. Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: 571-272-2100.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wei Y. Zhen** can be reached on **(571) 272-3708**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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